



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF PROFESSIONAL LAND SURVEYORS

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MEETING MINUTES:	BOARD OF PROFESSIONAL LAND SURVEYORS
DATE AND TIME:	January 15, 2015 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building
APPROVED:	February 19, 2015

MEMBERS PRESENT

James Bielicki, Jr., Professional Member, Chairman
Franco R. Bellafante, Professional Member, Vice-Chair
Thomas Plummer, Professional Member
Charles Adams, Jr., Professional Member
Rhonda West, Public Member, Secretary

DIVISION STAFF

Kevin Maloney, Deputy Attorney General
Amanda McAtee, Administrative Assistant II
David Mangler, Division Director

MEMBERS ABSENT

None

PUBLIC

None

CALL TO ORDER

Mr. Bielicki called the meeting to order at 8:33 a.m.

Review and Deliberation:

The proposed revisions to the Rules and Regulations to allow professional development hours to be obtained by deployed active duty military

Mr. Maloney stated that public comments were not received during the additional public comment period. Mr. Plummer made a motion, seconded by Mr. Bellafante, to adopt the proposed revision to the Rules and Regulations to allow professional development hours to be obtained by deployed active military. By unanimous vote, the motion carried.

Review and Approval of Minutes

Ms. West made a motion, seconded by Mr. Adams, to approve the November 20, 2014 minutes. By unanimous vote, the motion carried.

Unfinished Business

Mr. Mangler questioned the purpose of the “recent sealed survey” and why the survey had to be performed no more than 90 days prior to settlement. Mr. Bielicki stated that the “recent sealed survey” was intended to keep integrity of properties being sold and 90 days seemed to be a reasonable number, so the survey would not be 6 years old when property was going to change ownership. Mr. Bielicki stated that a surveyor would not be ordered until a contract was signed with a buyer. The board held a public workshop and they received the support from state and county officials to perform the survey at conveyance 90 days prior to settlement so anything illegal could be picked up and to make sure that the new buyer was not inheriting a new problem that the seller had created.

Mr. Mangler questioned the board about the purpose of the proposed emeritus license type. Mr. Adams stated that it came about because they had licensees that wanted to retire and still wanted to hold their honorable title without completing continuing education. Mr. Bellafante stated that it was really an honorary designation. Mr. Maloney stated that the concept was that licensees would still be able to claim that they were licensed but in a retired status.

Mr. Mangler stated that a lot of times people confused education and licensure; education never goes away, but a license is something a person holds when they are actively practicing in a profession.

Mr. Mangler stated that he could not support creating a license type that was not necessary because if a licensee no longer held an active license and retired from the profession then they could state that they were retired. Mr. Mangler stated that it would be unusual and boards typically did not do this, but the board could issue a certificate of appreciation and honor that person when they retired from the profession.

Mr. Mangler stated that he would support the inactive status of the proposed bill because that was not an uncommon recognized status. The board would strike emeritus status from their proposed bill and would move forward with inactive status and sealed survey at conveyance.

Continued Discussion on Responsible Charge and Direct Supervision as Defined in §2702 and §2718(4) and Rule 2.0

Mr. Bielicki stated that a professional land surveyor (PLS) supplied the direct supervision and responsible charge could only be given by a PLS. Mr. Bielicki stated that the statute under §2702(7) defined responsible charge and suggested adding language in the Rules and Regulations to further clarify the definition by adding the following language to the Rules and Regulations: “that an individual in responsible charge shall be under the direct supervision of a Delaware licensed PLS.”

Mr. Maloney stated that the proposed language could be added in the Rules and Regulations under section 2.0. After discussion, Mr. Bielicki made a motion, seconded by Mr. Bellafante, to add an amendment under section 2.0 in the Rules and Regulations to further define responsible charge. By unanimous vote, the motion carried.

Complaint Status – None

NEW BUSINESS

Courses for Continuing Education Approval

Jeffrey Whitmore: ArcGIS – Introduction to GIS, December 9-10, 2014, 16 PDHs

Mr. Plummer stated that the application required that a resume of the presenter and a detailed course schedule showing a timetable of the course, including all scheduled breaks. Mr. Plummer stated that Mr. Whitmore did not supply a resume of the presenter or a course schedule. Mr. Plummer made a motion, seconded by Mr. Bellafante, to table the course until the additional information was received. By unanimous vote, the motion carried.

Ms. McAtee stated that she would contact Mr. Whitmore and request the required information.

Review of Application for Licensure by Examination – None

Review of Application for Licensure by Reciprocity – None

Review of Application for Surveyor Intern – None

Review of Land Surveying Certificate of Authorization – None

Ratification of Issuance of Land Surveying Certificate of Authorization

InLand Design, LLC. – Surveyor in Charge: Roman W. Dychdala

Ms. West made a motion, seconded by Mr. Plummer, to ratify the certificate of authorization issued for InLand Design LLC. By unanimous vote, the motion carried.

Review of Land Surveying Certificate of Authorization – None

Review of Audits – None

Wall Certificates

Jeremy M. Burns

Mr. Bielicki and Ms. West signed the wall certificate for Jeremy M. Burns.

Correspondence – None

OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)

Mr. Adams stated that the State of Maryland required land surveyors to hold liability insurance in order to renew licensure. Ms. McAtee stated that liability insurance was an individual's business decision, was not a component of licensure qualifications, and could create more issues if it became a requirement. Ms. McAtee stated that the medical board did not have a malpractice insurance requirement for licensed physicians.

PUBLIC COMMENT

None

NEXT MEETING

The next meeting of the Board is February 19, 2015 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Mr. Adams made a motion, seconded by Ms. West, to adjourn the meeting at 9:59 a.m. By unanimous vote, the motion carried.

Respectfully Submitted,



Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.